

**TRANSMITTAL AND NOTICE OF APPROVAL OF  
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 2 — 0 0 4

2. STATE:

North Dakota

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL  
SECURITY ACT (MEDICAID)TO: REGIONAL ADMINISTRATOR  
HEALTH CARE FINANCING ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES4. PROPOSED EFFECTIVE DATE  
January 1, 2002

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

Section 1931 of the act

7. FEDERAL BUDGET IMPACT:

a. FFY 2002 \$ 426,599

b. FFY 2003 \$ 568,750

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Supplement 12a to Attachment 2.6-A, page 2  
Supplement 12a to Attachment 2.6-A, page 5  
Supplement 12a to Attachment 2.6-A, page 69. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION  
OR ATTACHMENT (If Applicable):Supplement 12a to Attachment 2.6-A, page 2  
Supplement 12a to Attachment 2.6-A, page 5  
Supplement 12a to Attachment 2.6-A, page 6

10. SUBJECT OF AMENDMENT:

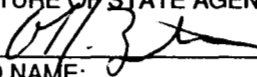
Eligibility

11. GOVERNOR'S REVIEW (Check One):

- ☐
- GOVERNOR'S OFFICE REPORTED NO COMMENT
- 
- ☐
- COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
- 
- ☐
- NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:



13. TYPED NAME:

David J. Zentner

14. TITLE:

Director, Medical Services

15. DATE SUBMITTED:

January 18, 2002

16. RETURN TO:

David J. Zentner  
Director Medical Services  
North Dakota Department of Human Services  
600 E Boulevard Ave-Dept 325  
Bismarck ND 58505**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

January 25, 2002

18. DATE APPROVED:

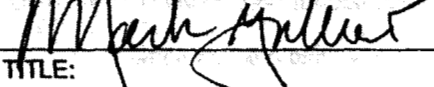
3/28/2002

**PLAN APPROVED - ONE COPY ATTACHED**

19. EFFECTIVE DATE OF APPROVED MATERIAL:

JANUARY 1, 2002

20. SIGNATURE OF REGIONAL OFFICIAL:



21. TYPED NAME:

Mark Gilbert

22. TITLE:

Acting Associate Regional Administrator

23. REMARKS:

POSTMARK: January 18, 2002

State: North Dakota

       The agency applies higher resource standards than those in effect as of July 16, 1996, increased by no more than the percentage increases in the CPI-U since July 16, 1996, as follows:

  X   The agency uses less restrictive income and/or resource methodologies than those in effect as of July 16, 1996, as follows:

Assets:

1. Effective January 1, 2002, the value of all assets above \$1000 are disregarded for applicants and recipients.
2. One vehicle of any value is exempt.
3. Disregard home replacement funds from the sale of a home, if intended for the purchase of another home, for three months after the proceeds are received.
4. Disregard as a resource real property which the family is making a good faith effort to sell without regard to an established time frame.
5. Disregard unspent assistance, and interest earned on such assistance, received under the Disaster Relief and Emergency Assistance Act of 1974 or some other federal statute or because of a presidentially declared disaster.
6. Real or personal property which is essential to earning a livelihood is considered "available" in determining Medical Assistance eligibility unless the property owners are actively engaged in using the property to earn income and derive the total benefit of such income for their personal needs. An individual is actively engaged in utilizing the property if the individual contributes significant current personal labor in utilizing the property for income producing purposes. The payment of social security taxes on the income from such current personal labor is an indicator of the active utilization of the property. (Property which merely produces rental or lease income will be considered available in determining Medical Assistance eligibility.)

TN No. 02-004

Supersedes

TN No. 01-010

Approval Date 03/28/02

Effective Date 01/01/02

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9. All reasonable child care expenses, for which the family is responsible, for any child in the unit are allowed as a deduction from income.
10. Gross income tests are eliminated.
11. Disregard TANF cash grant as income.
12. Extra checks of earned or unearned income received from a regularly recurring income source are disregarded as income. Bonus checks, or checks for any other reason, are not considered extra checks. The last check received in the month is considered the extra check.
13. The first \$50 per month of current child support, received on behalf of children in the Medicaid unit, will be disregarded from each budget unit that is budgeted with a separate income level.
14. Disregard subsidized guardianship payments for children.
15. Disregard payments from the Child and Adult Food Program for meals and snacks to licensed families who provide daycare in their home.

The income and/or resource methodologies that the less restrictive methodologies replace are as follows:

Assets:

1. A new provision (This effectively eliminates the asset test.)
2. A vehicle with an equity value of only up to \$1500 was previously allowed.
3. A new provision.
4. Replaces provision which allowed real property to be counted after 9 months even if the family continued to make a good faith effort to sell.
5. A new provision.
6. All such property was previously counted as an asset and was subject to the \$1000 asset limit.

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7. Burial was limited to \$1500 in a bonafide burial agreement.
8. Life estate values were previously counted as an available asset and were subject to the \$1000 asset limit.
9. Replaces provision that based asset eligibility on the last day of the month.
10. A new provision.
11. A new provision.

Income:

1. Disregard of \$90.
2. JTPA earnings were considered under some circumstance and earnings of part-time students were considered.
3. AFDC considered income from Job Corps.
4. A new provision.
5. The amount was \$10.
6. Non-recurring lump sum income was prorated.
7. Previously counted as income.
8. Previously limited to 4 consecutive months of \$30 plus 1/3, then 8 months of \$30.
9. Previously limited in dollar amount and only for children included in the grant.
10. Gross income tests were completed monthly.
11. A new provision.
12. A new provision. (This works similar to the suspend provision in AFDC on July 16, 1996).
13. Previously limited to one \$50 disregard per family unit.
14. A new provision.
15. A new provision.